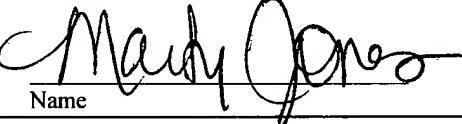


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: GREGORY A. SHREVE
Filed: JULY 26, 2001
For: DIRECT-PATH-SIGNAL DETECTION APPARATUS AND ASSOCIATED METHODS
Serial No.: 09/915,620
Group Art Unit: 2685
Examiner: NGUYEN, S.
Atty Dkt: TDCO:007

Pursuant to 37 C.F.R. 1.8, I certify that this correspondence is being deposited with the U.S. Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:

2/28/05 
Date Name

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, Time Domain Corporation of 100 percent interest in the instant application hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as shortened by any terminal disclaimer, of U.S. Patent No. 6,762,712 assigned to Time Domain Corporation. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,762,712 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of U.S. Patent No. 6,762,712 as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: Expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.

Date: 2/25/05

By: 
Name: Maximilian R. Peterson, Reg. No. 46,469
Title: Attorney Of Record

- Terminal disclaimer fee under 37 C.F.R. 1.20(d) is included.

- PTO suggested wording for terminal disclaimer was unchanged changed.